

KONA MAY BE FREED

Plan to Withdraw Receiverhip Suit.

When the Circuit Court opens this morning there is an even chance that the first thing to be done will be the filing of a motion to withdraw the suit for a receiver for the Kona Sugar Co. The matter is still in abeyance and not until this morning will final decision be made by the men whose interests are most involved.

This move in the matter of the corporation was decided upon yesterday, after there had been many meetings of the stockholders and creditors of the concern. There is not yet the money to finance the plantation in sight, but there is a chance that it will be ready for the concern when the receivership is paid. The creditors of the company are doing all in their power to secure the consent of some banker to take up the matter, and the negotiations which were inaugurated by E. F. Dillingham yesterday are being pressed, though there was no development which is sufficient to give more than a hope that the outcome will be favorable.

There was started yesterday a petition among the stockholders of the company asking Mr. S. M. Damon of the firm of Bishop & Company, to accept an assignment for the plantation. This was liberally signed, but Mr. Damon yesterday afternoon said that he had heard nothing of any such move, and that there had been no change in the status of the plantation in so far as he was concerned. There is some feeling that Mr. Damon will yet be persuaded to undertake the matter, failing which there is another prospect that Dillingham & Company, or some other firm of factors, will be induced to make the step.

As it looks now there will be such an arrangement as will enable the plantation to continue its work. The creditors are said to be ready to make such arrangements as will permit the work to be prosecuted. This will mean the running of the mill and the operation of the mill. The representatives of the labor say there will be no trouble made by that interest in the harvesting of the cane, and they will guarantee that the estate will furnish the cane to the mill as contemplated in the contracts.

Receiver Wundenberg said yesterday that he could see nothing to do but to liquidate the plantation, as he had made every endeavor that a man could make in this city to secure the money to carry on the operations. The letter which went forward to Manager Cowan in the Mauna Loa yesterday is based on the last order of the court, which permits the receiver to incur expense for the purpose of preserving the live stock and personal property of the estate. The letter says only that the employees around the place shall be suspended for the present, and this, according to Mr. Wundenberg, will not affect the cane, except in that it will render it harder to mill the product, when such steps are undertaken. The cane is not grown by the plantation but by private planters, and these are located all over the country, and so are responsible for the holding together of their own men. The regular labor of the plantation will not be affected, speaking in the general sense, as for the past four months there has been a practical stoppage of the work and the men have found existence easy in the Kona country.

Mr. Wundenberg, however, arranged for a credit for the manager, with the local branch of Harkfeld & Company, which will enable the men who are retained to be kept in shape. There will be plenty of food, but this has little effect upon the laborers, as they subsist largely upon the products of the country. It was found that of the supplies which were provided by Receiver Wundenberg when he was there, much of flour and other groceries which were drawn were sold later for half the regular price, as the men were not in need and wanted the supplies only for the return which they could secure from their sale.

Receiver Wundenberg has now closed his labors until there is a hearing on the part of the bill. He has he says exhausted the financial resources of the city to obtain the money needed, and when that was done he considered that the very best thing was the reorganization of the estate. He said of the negotiations yesterday: "I have tried to induce every one of the big houses to undertake the matter. There are so many things which must be looked to. As I see it there are difficulties in the way which when ascertained by the local agencies have had the result of deterring their taking hold of the plantation."

"I considered Harkfeld & Company the natural agents for the place, since they have a big store in the vicinity and would be able to handle the matter without expense. That firm, after looking into the case, replied that there was no use of further discussing the matter, for they would not be able to undertake any more work than they now have on hand."

"Bishop & Company are interested in the plantation, and Mr. Damon had an examination made of the estate. I went to him for the purpose of making an arrangement. I offered him every financial advantage from the handling of the business. There would be loans, which would pay interest, the percentages to the agent, which I was authorized to pay, and then I was willing myself to give the bond, and permit him to absolutely take charge of the business. I giving my time freely for the benefit of the plantation, which I have an interest in saving. His force would have had charge of the business and the bank would have had the opportunity of making all the commissions

which could come from the transaction. Was he could see any way out of the matter."

"This will show that I have been some attention to the matter, and when there was an objection taken to the plan which I proposed after making these offers, I of course expected that there would be some suggestion by the stockholders or creditors of the concern. I would have been very glad to find some firm to undertake the work of the plantation, but I could not find one, even after making the most favorable proposals."

"I have received notice to come into court, and shall go there and stand by my report upon the plantation. If there should be any offer of the cash in advance for the development I shall be ready to undertake any plan which will be for the benefit of the estate."

WANT PAY FOR SHORT RATIONS

The American ship A. J. Fuller was seized last evening by Marshal Hendry upon a motion issued by Judge Esch upon the complaint of thirteen seamen who made the voyage from Sydney and allege that their rations were cut down by one-third during the trip. By reason of this they claim that they are entitled to the sum of \$20 each.

The complainants in the case are Jacob Mosley, K. Olsen, Thomas Smith, O. Schack, Thomas Hawthorne, August Lindholm, Charles Johnson, John Hennrichson, Timothy McNamara, Glo. Borring, Frank Leonard, Clontfeli Casare and Luigi Savarese.

The libel was filed in United States Court by George Davis yesterday afternoon and Judge Esch issued the motion for immediate service. The hearing is set for Monday morning, March 12th.

The libellants allege that they joined the ship at Sydney, New South Wales, December 6, 1901, as seamen, and served on the voyage to Honolulu until Feb. 28, 1902.

The seamen further allege that they are entitled to be discharged from the said ship at this port of Honolulu, the said voyage being ended and determined.

That your libellants allege and say that the master of the said ship and the said ship are indebted to them in the sum of twenty dollars each for the money due and payable to them the said libellants from the said libellees by force and virtue of the statute of the United States to wit, section 4568 of the Revised Statutes of the United States, for that the provisions which the said seaman stipulated for under the agreement entered into before the commencement of the voyage were reduced during the said voyage for the space of forty days by one-third of the quantity which the libellees in and by said agreement were bound to provide and which they neglected and refused to provide without lawful excuse.

That the said ship is now lying in the harbor of Honolulu, and within the jurisdiction of this Honorable Court. Your libellants therefore pray that your honor and this honorable court will award each of said libellants the said sum of twenty dollars in accordance with the provisions of the said section of the Revised Statutes of the United States and the cost of this suit. That the said ship will soon proceed to sea and out of the jurisdiction of this court.

That all and singular the premises are true and within the admiralty and maritime jurisdiction of the United States and of this honorable court. Wherefore, the libellants pray that process in due form of law according to the practice of this honorable court in cases of admiralty and maritime jurisdiction may issue against the said ship, her tackle, apparel, furniture and boats, and all persons claiming any right in the said vessel and especially the said master may be cited and summoned to appear and answer the matters aforesaid upon oath and that this honorable court will be pleased to decree the payment of the amount due to the libellants with costs.

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E. S. BOYD'S LAND DISCUSSIONS

(Special to the Advertiser.)

WASHINGTON, D. C., Feb. 26.—Hon. "Billy" Hoogs, of Honolulu, departed a few days ago for Philadelphia and New York, where he expected to meet Mr. Rodiek, of Harkfeld & Co., Honolulu, and whence he will travel to Minneapolis and Seattle, before proceeding to San Francisco and to the Hawaiian Islands. His friends persuaded him to break into one of the local papers, the Evening Star, with the following:

Mr. W. H. Hoogs, a member of the first Legislature of the territory of Hawaii, from the Fourth District, has arrived in Washington en route for New York. He will remain at the national capital for several days. Discussing the conditions now obtaining in the Hawaiian Islands, Mr. Hoogs today said:

"Our people are deeply interested in the proposition to apply the present United States land laws to the Islands, and there is much opposition. The land laws of the United States are not applicable to the conditions in Hawaii for the reason that there are no large areas of public land at the disposal of the territorial government. If the United States land laws were applied in Hawaii it would work endless confusion and tend to have the remainder of the public lands pass into the hands of a very few owners, as there is not enough arable land on the Islands to provide homesteads of 160 acres each to those desirous of acquiring such rights."

"The country is of volcanic formation and is broken up by numerous mountains and ravines, the greater part of it being like Bill Nye's 'perpendicular farm,' standing on edge. Our land problem is a most serious one, and the bill now before Congress will, in my opinion, prove a source of much litigation, should it become a law."

"We will never get what we are entitled to until Congress sends a commission to the Islands to look into and thoroughly investigate the conditions. Should this Congress send a commission headed by such a man as the present land commissioner, Mr. Binger Herman, who has had a number of years' experience in the adjustment of land controversies, I am sure, would

REV. DR. SERENO E. BISHOP RETIRES FROM EDITORIAL DUTY



The current number of The Friend says:

It is with the greatest satisfaction that we make the announcement that after the present issue, The Friend will pass into the hands of editors appointed by the Hawaiian Board. The responsible editor will be the Rev. John Leidingham, the able principal of the North Pacific Mission Institute, who will enjoy the cooperation of several other members of the Board. Mr. Theodore Richards, the Treasurer of the Board, will be the business manager of the paper. A program of the new plans will appear in the April issue.

The present editor greatly welcomes this change. With a markedly increasing abatement of both bodily and mental strength, at the age of seventy-five years, he has been growing very sensible that it must be only a short time before this pleasant duty, which has occupied him for nearly fifteen years, must be resigned into stronger hands. It has been a cause of much anxiety, who could be found to undertake it. At the opportune moment, the Hawaiian Board enter with this most welcome proposition. It has seemed as a special interposition of Providence, to continue the existence of the valued paper, which has long been the oldest newspaper west of the Rocky mountains.

The Friend was started in January, 1882, by the Rev. Samuel C. Damon, who had arrived in Honolulu during the previous year as chaplain to seamen. At first it bore the title of "Temperance Advocate." To this name in January were added the words "Seamen's Friend." In January, 1884, it became "The Friend of Temperance and Seamen," and in January, 1885, simply "The Friend," under which title it has continued as a monthly journal to the present time.

Under the new management and plans we are sanguine of a great increase in the value of the paper, and of a large addition to its subscription list. There can be no doubt that this long and greatly valued journal is about to enter upon a new and most prosperous period. Our best heart wishes go with it.

get such a recommendation to Congress that would enable us to get a law that would be thoroughly satisfactory to the citizens of Hawaii, and enable us to fairly and impartially apportion the remainder of our public lands.

"Any land laws that may be enacted for us should have special features looking to the preservation of the present forest land and the planting and caring for new forests that are so essential to the future welfare and the development of the Hawaiian Islands."

Mr. Hoogs declined to discuss the rumored possible change in the head of the territorial government. "I saw Governor Dole only a few days before I departed," he said, "and I never saw him looking better."

Concerning the general conditions of the Hawaiian Islands, Mr. Hoogs said: "We are having a great deal of trouble because of the shortage of labor. We cannot begin to farm our lands for lack of labor. Chinese, Japanese, Portuguese and negroes, make up the laboring element of the Islands to a very large degree."

"The past year has been a bad one for Hawaii. Probably not half a dozen sugar plantations have made money; owing to the scarcity of labor and rain. It has been hard to borrow money because of this, and the Territory suffered thereby. Then the low price of sugar has had its effect."

"The United States government is making preparations for a great amount of work building wharves. The land reservation is certainly a credit to the United States. There are no finer navy wharves in the world than those at Honolulu, which were constructed under the direction of Captain Merry."

"The dredgers for deepening the harbor at Pearl Harbor are no doubt at work by this time. Everything was being gotten in readiness about the time I sailed. The dredging is the beginning of operations at Pearl Harbor, which will include the navy yard and coaling station."

While he was in Washington Mr. Hoogs talked with lots of people about Hawaiian affairs, especially with men prominent in public life. He had a long chat with Commissioner Herman about the land bill which Mr. Wilcox introduced, and learned something of that gentleman's wishes. Mr. Herman is not friendly to the Wilcox measure, and it is safe to say that he will not recommend any radical provisions.

In that connection it is probably opportune to say that those people of Hawaii who recognize the impracticability of the Wilcox bill, are not helping their cause at all by having so many fingers in the pie. Land Commissioner Boyd, who came here under specific instructions from the territorial authorities as to his program and method of procedure, is working conscientiously, but it is no discredit to him to say that exactly what his superiors in office in Hawaii desired was secured before he came. Often there is a great deal of letting a subject alone here in Washington. Agitation and publicity often defeat the very ends desired. In the view of some Hawaiian people here, who want exactly the same thing that Mr. Boyd wants, he has not been following his instructions, and has been endangering the situation, which was secure, by calling attention to it anew and stirring up the members of the commit-

MORE MEN ARE FREE

Defendants Have a Good Day in Court.

Yesterday was another good day for criminals in the Circuit Court. Altogether, 24 defendants were given their liberty on discharge by Judge Gear, none present by the Deputy Attorney General, and upon the directed verdict of Judge Robinson.

Victor Gunn was charged with assault and battery, but the witnesses against him could not be found, and was said to be out of the jurisdiction of the court. A nolle prosequi was entered by Mr. Douthitt.

Han Chan and nine other Chinamen, convicted in the District Court of gambling and fined ten dollars each, were released by Judge Gear. Mr. Douthitt stated that the witnesses had been subpoenaed but had not appeared in court, and he wanted the trial delayed for a short time. Mr. Brooks, who appeared for the defendants, said he would like to accommodate the prosecuting officers, but he did not believe there was any testimony against the defendants any way, and the court dismissed the case. Judge Gear said he was willing to assist in every way possible in compelling the attendance of witnesses. The same action was taken in reference to H. Sitaro and six other Japanese, the witnesses not being present in court when the case was called. Just as all these defendants were leaving the building the witnesses appeared on the scene, but then it was too late.

Attorney General Dole was called in to court and asked why another prosecuting officer had not been furnished to appear in Judge Robinson's court. Mr. Dole explained that Mr. Cathcart had been taken ill, and that he was compelled to appear before the grand jury, but a special deputy would be appointed for Judge Robinson's court. Mr. Mathewman was later appointed as special deputy to prosecute and he appeared in the afternoon in Judge Gear's court, while Mr. Douthitt prosecuted before Robinson.

In the afternoon Abraham Pull pleaded guilty to the charge of the larceny of a revolver and \$20 in cash, and was sentenced by Judge Gear to a term of six months in Oahu prison. Mr. Mathewman then entered a nolle prosequi as against Jos. Magel, Kamalia Adam, Moses Adam and James Toomey, who had been indicted with Pull. In the case of James Ward, indicted under two charges of larceny, a plea of guilty was entered and sentence was suspended by Judge Gear until the May term, after he had severely lectured the defendant, who is a mere boy.

In the case of M. H. Kanwe and Mrs. M. N. Manuel, charged with adultery, Judge Robinson instructed the jury to acquit the defendants because of lack of evidence.

LAY IT TO WHITE.

The Queen's hospital trustees filed a motion yesterday to compel Ellen McCully-Higgins to answer whether she has in her possession a power of attorney executed to E. O. White. In the affidavit it is alleged that White did hold such a power of attorney, but loaned it to the attorneys of Mrs. Higgins, and they refuse to return the document. This is the suit in which plaintiff seeks the return of a note for \$50,000, held by the hospital, and for which she had received no consideration.

MONEY RETURNED TO COURT.

Judge Gear has ordered Thomas Fitch to repay into court \$486.76, which was paid to him November 25, 1901, for the heirs of Jose Antonio da Silva. The former order of distribution is set aside, it appearing that Jacinthia da Silva is a sister of the deceased, and therefore the widow is not the sole heir. An affidavit having been filed by Mr. Fitch showing that he had paid to the attorney for Jacinthia da Silva \$229.16, and the latter is ordered to pay that sum back into court.

PAHIA CASE.

An answer has been filed by the defendant in the case of Pulupaka Malama Guerrero vs. Frank Pahia, in which he admits the purchase of the property alleged to have been fraudulently obtained, and says that he paid her \$100 in cash for it, and that the deed was executed freely, voluntarily and understandingly.

BRECKONS ADMITTED TO PRACTICE.

A petition for admission to the bar has been filed by United States Attorney Breckons with the Supreme Court. Petitioner says he is of the age of 25 years, and was born at Kewanee, Ill. He graduated from the Georgetown University in 1890, and in the same year took up the practice of law in Wyoming, continuing until February, 1902. Mr. Breckons has been admitted to practice in the District Courts and Supreme Court of Wyoming, the Eighth District United States Circuit Court of Appeals, and the United States Court for Hawaii. The application for admission has been granted.

AN APPEAL.

An appeal has been taken to the Circuit Court from Judge Dickey's decision giving the Honolulu Stock Yards Company judgment for a back and damages of one dollar against H. H. K. Keohokalele.

Telegraph Notes.

Charles Tiffany left an estate of \$2,000,000.

There is now no plague in the city of Manila.

J. A. Fillmore, for many years general superintendent of the Southern Pacific Railroad, is dead.

The Republican members of the House discussed the Cuban bill, but reached no understanding.

Gives New Life

Strengthen the Nerves. When a man is tired, the whole nervous system is exhausted. It is impossible to do any of that terrible depression, and there is no addition to work. But there is a way whereby you may make it strong and vigorous. Mr. Charles Richardson, of 117 Wick Street, Lancaster, Lancashire, sends us his photograph and the following letter:



"Once my arms were covered with sores that were worse than boils. They were deep-rooted in the flesh and caused great suffering. My blood was in an awful condition. At another time I had a severe attack of influenza. I could neither eat, sleep, nor work, and I never enjoyed my health."

AYER'S Sarsaparilla

cured me from both of these violent attacks. The first time it took all impurities out of my system, and the last time it built me up and gave me new life. Now I am strong, work hard, and sleep well."

Ayer's Pills are a safe and sure cure for all liver troubles. They are purely vegetable.

Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U. S. A.

HOLLISTER DRUG CO., Agents.

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NAVY CONTRACTORS.

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Highest Market Rates paid for Hides, Skins and Tallow. Purveyors to Oceanic and Pacific Mail Steamship Companies.

DISSOLUTION OF COPARTNERSHIP.

NOTICE IS HEREBY GIVEN THAT the copartnership carried on under the name and style of WING WO LUNG COMPANY, doing business as dealers in general merchandise at No. 21 Hotel street, city of Honolulu, T. H., consisting of the following named parties, viz: T. Ah Hong, Goo Wan Hoy, T. Ah Mol, T. Ah King, T. Ah Ping, T. Ah Tong, G. Aho by Goo Wo Aho Jr., Look Wo Tong, T. Ah Heen, Sai On Kee by Ho Leong, agent; Goo Quon Heen, C. Kim Fook, Wong Yin Quai, all of Honolulu, and Pow Lung, 235 Lan Ching, Goo Ching Tong and Goo Chu Tong, of Hongkong, is this day dissolved.

The business of the late copartnership will be conducted under the name of WING WO LUNG CO., LTD., which is owned by the above named parties, and which assumes the assets and liabilities of the said copartnership. The change is made for the purpose of introducing new capital from Hongkong.

Honolulu, December 31, 1902.

T. AH HONG, GOO WAN HOY, POW LUNG, GOO LAN CHING, GOO CHING TONG, GOO CHU TONG.

By Goo Wan Hoy, Attorney-in-fact.

T. AH MOL, T. AH KING, SOI ON KEE, By Ho Leong, Agents; LOOK WO TONG, By Ho Leong, Agents; T. AH KING, TEAN AH HENG, GOO QUON HEEN, G. AHO.

By Goo Wo Aho Jr., CHUNG KIM FOOK, WONG YIN QUAI, T. AH TONG, 2365—March 7, 14, 21, 28.

The Hoers captured a convoy of empty wagons, consisting of a force of British imperial yeomanry, three companies of fusiliers and two guns. Governor McSweeney of South Carolina scores Tillman and McLaurin, and regrets that he did not accept their resignations when they were tendered.